

1894-041

Lee Co.

Chancery Causes:

W. S. Hurst

vs.

W. H. G. Slomp &c

Collier

CA-Debt  
T-Property



To the Honorable W.T. Miller, Judge of the Circuit Court  
for Lee County, Virginia:

Humbly complaining, your orator, W.S. Hurst, a citizen of  
said County, would respectfully represent and show unto your  
honor,

(1) That, at a Circuit Court continued and held for said  
County, at the court-house thereof on Friday the 15th day of  
June 1894, he obtained a judgement against W.N.G. Slemp, C.  
Slemp and M.D. Collier for the sum of Seven hundred and nine-  
ty-two dollars with legal interest thereon from the 15th day  
of June 1894 till paid, all of which will more fully appear  
by reference to said judgement, a copy of which is herewith  
filed as part of this bill marked "A".

Your orator will further show your honor that execution  
<sup>on said judgement</sup>  
issued from the Clerk's office on the 2nd day of August 1894  
against the goods and chattels of the said W.N.G. Slemp, C.  
Slemp and M.D. Collier; that said execution went into the  
hands of C.E. Flanary, Sheriff of Lee County, on the 3rd day  
of August 1894; and was returned to the Clerk's office with  
the following endorsement thereon: "Not executed no property  
found this Sept. 29- 1894. L.M. Wade, D.S. for C.E. Flanary, S.L.  
C., all of which will more fully and at large appear by refer-  
ence to said execution and the endorsements thereon, a copy of  
which is herewith filed as part hereof marked "B".

Your orator will further show your honor that said judge-  
ment was duly docketed in the Judgement Lien Docket, in the  
office of the Clerk of the County Court for Lee County, on the  
\_\_\_\_\_ day of \_\_\_\_\_ 1894, as will more fully appear  
by reference to a copy of transcript from said Lien Docket  
herewith filed as part hereof marked "C".

Your orator will now show your honor that the said W.N.G.  
Slemp is hopelessly insolvent. And for proof of this alle-  
gation reference is here made to the Chancery cause of the  
Pennington Gap Bank against H.C. Slemp, W.N.G. Slemp and others



and the papers and exhibits therewith, and which said chancery cause and papers and exhibits therein and therewith your orator prays may be considered as evidence in this case. Said cause is now pending in your honor's court for said ~~Exmh~~ County.

Your orator will now show your honor that the said C. Slepp is the owner of a large and valuable real estate situated in Lee County, Virginia, in several tracts as follows:

First.--A tract of land conveyed to him by H.C.Slepp and others by deed bearing date on the 26th day of February 1861 containing forty-nine acres more or less, lying in Turkey Cove, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "D".

Second.--A tract of land conveyed to him by G.W.H.Haburn and wife, by deed bearing date on the 3rd day of April 1863, containing seventy-three acres more or less, lying in Turkey Cove, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "E".

Third.--A tract of land conveyed to him by James F.Jones and wife, by deed bearing date on the 10th day of October 1878, <sup>containing</sup> containing two and one half acres more or less, lying in Turkey Cove, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "F".

Fourth.--A tract of land conveyed to him by John Piddle and wife by deed bearing date on the 27th day of November 1879, containing twenty acres more or less, lying in Turkey Cove, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "G"

Fifth.--A tract of land conveyed to him by Hualley Slepp and wife, by deed bearing date on the 6th day of April 1880,



containing one acre more or less, lying in Turkey Cove, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "H".

Sixth.--A tract of land conveyed to him by Joseph M. Carrio Guardian and Commissioner, by deed bearing date on the 20th day of may 1882, containing one and one-half acres, lying in Turkey Cove, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "I".

Seventh.--Two or three tract of land conveyed to him by J. M. Flanary and wife, by deed bearing date on the 26th day of July 1872, all lying in Turkey Cove, and for a more particular description of which reference is here made to said deed a copy of which is herewith filed as part hereof marked "J".

Eighth.--Two or three tracts of land conveyed to him by H. D. Pridemore and wife, by deed bearing date on the 20th day of April 1887, lying in Turkey Cove, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "K".

Ninth.--A tract of land conveyed to him by Wm. P. Jones and wife by deed bearing date on the 29th day of October 1873, containing one fourth of an acre, more or less, lying in Turkey Cove, and for a more particular description of which reference is here made to said deed, a copy of which is herewith ~~filed as~~ part hereof marked "L".

Tenth.--Three tracts of land conveyed to the said C. Slomp by deed bearing date on the 3rd day of January 1890, by F. T. Biddle and others, lying in Turkey Cove, and for a more particular description of which reference is here made to said deed, a copy of which id herewith filed as part hereof marked "M".

All of the foregoing tracts make up and constitute the farm on which the said C. Slomp now lives, known as his home place, and charged on ~~the~~ Land Books for the Yukum Station



District as being three hundred and forty-two acres.

Eleventh.--A tract of land conveyed to the said C.Slemp by Alexander C.Morris, by deed bearing date on the 4th day of May 1888, containing one hundred acres, lying in the Crab-Orchard, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "N".

Twelfth.--A tract of land conveyed to the said C.Slemp by Jacob Morris, by deed bearing date on the 4th day of May 1888, containing one hundred and one and one-half acres, lying in the Crab orchard, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "O".

Thirteenth.--A tract of land conveyed to him by Thomas Collinsworth and wife, by deed bearing date on the 15th day of May 1888, containing fifty-four and one-half acres, lying in the Crab orchard, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "P".

Fourteenth.--A tract of land conveyed to him by Thomas Adams and wife, by deed bearing date on the 15th day of May 1888, containing forty-six acres more or less, lying in the Crab orchard, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "Q".

Fifteenth.--A tract of land conveyed to him by Alfred Witt and wife by deed bearing date on the 24th day of November 1888, containing one hundred and forty-one and one-half acres, lying in the Crab orchard, and for a more particular description of which reference is here made to said deed a copy of which is herewith filed as part hereof marked "R".

Sixteenth.--Two tracts of land conveyed to him by Elkanah Parker by deed bearing date on the 8th day of December 1888, containing in the aggregate about forty-five acres, lying in



the crab orchard, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "S".

Seventeenth.--two tracts of land conveyed to the said C. Slomp and others by your orator and others by deed bearing date on the 19th day of December 1889, containing about two hundred and fifty acres, lying in the Crab orchard, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "T".

Eighteenth.--A tract of land conveyed to him by John Edens by deed bearing date on the 13th day of November 1889, containing eighteen acres, lying in the Crab orchard, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "U".

Nineteenth.--A tract of land conveyed to him by Sarah and Wiley Whisman by deed bearing date on the 27th day of September 1890, containing about thirty acres, lying in the Crab orchard, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "V".

Twentieth.--A tract of land conveyed to him <sup>and L.E. Flanary.</sup> by E.W. Pennington, Trustee, by deed bearing date on the 16th day of July, 1894, containing about sixty acres, lying in Turkey Cove and for a more particular description of which reference is here made to said deed, a copy of which is here ~~made~~ filed as part hereof marked "W".

The said C. Slomp probably owns other tracts of lands, lying in Lee County, but your orator has failed to find any other lands in his name in the Records of Deeds in the Office of the Clerk of the County Court.

Your orator will now show your honor that the said M.D. Collier was recently the owner of several tracts of land as follows:



First.--A tract of land conveyed to the said Collier by Martin H.Witt by deed bearing date on the 13th day of November 1888, containing seventy-five acres, lying in the Crab Orchard, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "X".

Second.--A tract of land conveyed to him by James D.Witt and wife, by deed bearing date on the \_\_\_\_\_ day of \_\_\_\_\_ 1888, containing seventy-five acres, and lying in the Crab Orchard, and for a more particular description of which reference is here made to said deed, a copy of which is herewith filed as part hereof marked "Y".

The said Collier and W.N.G.Slemp own other lands which are covered by mortgages and deeds of trust and other liens.

Your orator is informed, and here alleges it to be true, that the said M.D.Collier, recently, but prior to the date of your orator's judgement aforesaid, sold and conveyed all his real estate lying in Lee County to the said C.Slemp, and that a part, if not all, of the consideration therefor was that the said C.Slemp should pay said Collier's part of your orator's said judgement or debt aforesaid.

Your orator is advised that his said judgement operates as a lien upon all the real estate owned by said W.N.G.Slemp, C.Slemp and M.D.Collier; and that under the existing circumstances before related, he is entitled to a decree for the sale of the lands aforesaid of the said C.Slemp, or enough thereof to satisfy his said judgement aforesaid.

There are probably other liens against the lands of the said C.Slemp.

Now, therefore, the object of this bill is to enforce the lien aforesaid of your orator's judgement aforesaid, against the lands of the said C.Slemp, and to collect said judgement; and being without adequate remedy at law, your orator prays your honor's court of chancery to take cognizance



of his cause and grant~~h~~ him the proper relief.

To this end your orator prays that W.N.G.Slemp, C.Slemp and M.D.Collier be made the parties defendant to this bill; that they each be required to answer its several allegations, but not upon oath, that being waived; that, upon a hearing of this cause, the lien of your orator's judgement aforesaid, be enforced; that the lands of the said C.Slemp, or enough thereof, be sold for the purpose of satisfying the same; and, if mistaken in this prayer, then, that full general relief be granted him.

May Spa. issue, directed &c.

Duncan V. Hyatt, p.q.



C 3.00  
S 1.50  
atty 18.00  
\$19.50

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W. S. Hurst.

vs. Bill in Chy.

W. N. G. Skemp et als.

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Duncan & Hyatt, p.g.

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Virginia

At a circuit court continued and held for Lee County at the Court house thereof on Friday June the 15<sup>th</sup> 1894

W. S. Hurst

Plffs

vs

W. N. S. Slump, C. Slump & M. D. Collier

Defts

In Debt

This day came the parties by their attorneys, and the plaintiff demurred to the defendants plea in abatement filed at rules which demurrer was sustained, and the defendants filed their plea in writing to which the plaintiff replied generally, and thereupon the defendants filed their bill asking for a discovery of the dealings between the plaintiff and the said defendants to which the plaintiff filed his answer; and by agreement of the parties a jury is waived, and by like agreement of the parties: It is considered by the Court that the plaintiff recover against the defendants \$792.00 with legal interest thereon from the 15<sup>th</sup> of June 1894 till paid, and it is further considered by the Court that the defendants recover against the plaintiff their costs about their defence in this behalf expended except an attorneys fee in the bill of



W. S. Hurst  
copy of Judgt  
W. M. G. Slump et als

"A"

C. 25<sup>cto</sup>

discovery!  
A copy date  
Apr 3 Munroe Clerk



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That of the goods and chattles of W. H. Slemph. & Slemph  
and M. D. Collier

in your bailiwick, you cause to be made \$ 792 00 Seven Hundred & Ninety  
two dollars

with interest at the rate of six per centum per annum from the 15<sup>th</sup> day of June 1894  
until paid, which M. S. Hurst

late in our Circuit Court of the County of Lee, has recovered against the said W. H. Slemph  
et al, as well for a debt as interest thereon; also \_\_\_\_\_  
\_\_\_\_\_ dollars and \_\_\_\_\_ cents, which to the said  
M. S. Hurst in the same court were adjudged for his costs  
by him about his suit in that behalf expended, whereof the said Slemph et al  
convict as appears to us of record. And how you shall execute this writ make known at the rules to be  
holden in the clerk's office of our said Circuit court, on the 1<sup>st</sup> Monday in October  
next. And have then there this writ.

Witness, A. B. MUNSEY, Clerk of our said court, at the court-house, the 2<sup>nd</sup> day of  
August 1894, and in the 119<sup>th</sup> year of the Commonwealth.

A Copy Teste

A B Munsey Clerk  
A B Munsey Clerk



"B"

E. B. No. 4 p. 182

Mr S Hurst  
copy of

US. { FI. FA.  
IN DEBT.

Mr M G Slomp et al  
"B"

Duncan & Nyatt p. q.

Came to hand Aug 3

1894, at 9 o'clock A.M.

L E Flannery S & C

To 1st October Rules,

Circuit Court. "B"

Jud. June 7 1894

O. B. No. 3 p. 382

"B"

56 D

Not executed and perfected  
found this set 29-1894  
to be made for  
L E Flannery S & C



# The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

*M D Collier*

*W R G Slump, to Slump and*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *3rd* Monday in *October*, 189*4*, to answer a bill in Chancery,

exhibited against *them* in our said court by *W S Hurst*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

*8th* day of *October* 189*4*, and in the 119*th* year of the

Commonwealth.

*A Copy Leste*

*A B Munsey Clerk*

*A B Munsey* Clerk.



vs. { SUPCENA  
IN CHANCERY.

p. q.

To Rules,  
Circuit Court.



# The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

*M D Collier*

*W N S Slump, to Slump and*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *3rd* Monday in *October*, 189*4* to answer a bill in Chancery,

exhibited against *them* in our said court by *M S Hurst*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

*8th* day of *October*, 189*4*, and in the 11*9th* year of the

Commonwealth.

*A Copy Teste*

*A B Munsey Clerk*

*A B Munsey* Clerk.



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vs. { SUPCENA  
IN CHANCERY.

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p. q.

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To..... Rules,  
Circuit Court.

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The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

*M. S. Hollis*

*M. S. Slump & Slump and*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *3rd* Monday in *October*, 189*4*, to answer a bill in Chancery,

exhibited against *them* in our said court by *M. S. Hurst*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

*8th* day of *October*, 189*4*, and in the 11 *9th* year of the

Commonwealth.

*A. B. Munsey* Clerk.



Mr. S. Hurst

vs. { SUPCENA  
IN CHANCERY.

Mr. G. Slemper et al

Duncan & Hyatt p. q.

To 2nd October Rules,  
Circuit Court.

Not executed on account  
of sickness. This Oct 13-1894  
L. M. Wade D.S. for  
C. E. Selanary S. L. C.

Executed Oct 15-1894  
by Delivering a true office  
copy of the within sum  
to Mr. D. Collier.  
This Oct 15<sup>th</sup> 1894  
L. M. Wade D.S. for  
C. E. Selanary  
S. L. C.



# The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

*again*  
WE COMMAND YOU, That you summon

*and* *W. N. G. Slomp, to Slomp*  
*and* *M D Collier*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said

Court on the *1st* Monday in *February*, 189*5*, to answer a bill in Chancery,

exhibited against *them* in our said court by *W D Hurst*

And have then there this writ Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the

*15th* day of *January* 189*5*, and in the 11 *9th* year of the

Commonwealth. *A Copy* *A. B. Munsey* Clerk.

*Teste A B Munsey Clerk*



\_\_\_\_\_  
\_\_\_\_\_  
vs. { SUPŒNA  
IN CHANCERY.

\_\_\_\_\_  
\_\_\_\_\_  
p. q.

To \_\_\_\_\_ Rules,  
Circuit Court.  
\_\_\_\_\_  
\_\_\_\_\_



# The Commonwealth of Virginia,

To the Sheriff of the County of Lee---Greeting:

WE COMMAND YOU, That you summon

*J M D Collier*

*W. K. G. Slump, to Slump*

to appear at the Clerk's Office of the Circuit Court of the County of Lee, at the rules to be held for the said Court on the *1st* Monday in *February*, 189*8*, to answer a bill in Chancery, exhibited against *them* in our said court by *W. S. Hurst*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *13-th* day of *January*, 189*8*, and in the 11 *9th* year of the Commonwealth.

*A B Munsey* Clerk.



Copy for  
M D Collier

W S Hurst

vs.

{ SUPENA  
IN CHANCERY.

W R G Hempstead

Duncan & Hyatt p. q.

To 1st February Rules,  
Circuit Court.

Not Executed  
on the account  
of time  
M R Kirk  
D S for G. B. Hearn  
J S B



N. S. Hurst.

vs. In Chancery.

N. N. G. Sloop et al.

Duncan & Hyatt, p. q.